

FORTY-FIFTH DAY

(Thursday, March 28, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent—Excused

Bracewell

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was approved.

Leave of Absence

Senator Bracewell was granted leave of absence for today on account of important business on motion of Senator Aikin.

Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 399, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with attached committee amendment and be printed.

WEINERT, Chairman.

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 188, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 102, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 54, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 51, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Lane submitted the following reports:

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 79, have had the same under con-

sideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 338, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. S. B. No. 338 was read first time.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 314, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. S. B. No. 314 was read first time.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 303, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 53, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 294, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 205, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 292, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 379, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. S. B. No. 379 was read first time.

Senator Kazen submitted the following report:

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 351, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senator Martin submitted the following reports:

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 28, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 528, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 503, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,
March 27, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Leg-

islative, Congressional and Judicial Districts, to whom was referred S. B. No. 419, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,
March 27, 1957

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 258, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Senate Resolution 291

Senator Phillips offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate members and officers of League of Women Voters of Galveston, Brazoria and Fort Bend counties and all other counties of Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

PHILLIPS

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Lane and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof and to include all the Counties of the State.

The resolution was then adopted.

Senate Resolution 292

Senator Rogers offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. O. C. Rampley, principal, and four members of the Student Council, Silverton High School, Silverton, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Rogers by unanimous consent presented the students and principal to the Members of the Senate.

Senate Resolution 293

Senator Owen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Kamilla H. Key, Mrs. C. Newton Page and Mrs. Walter R. Davis from Midland, Texas, of the League of Women Voters; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented the guests to the Members of the Senate.

Bills and Resolution Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolution:

H. B. No. 150, A bill to be entitled "An Act amending Section 16 of Chapter 25, Acts of the 39th Legislature, Regular Session, 1925 (codified in Vernon's Texas Civil Statutes as Article 7880-16) so as to authorize a water control and improvement district to have a wider and more descriptive choice of names to designate it; and declaring an emergency."

H. B. No. 189, A bill to be entitled

"An Act repealing the provisions of House Bill 931, Acts of the 46th Legislature, Regular Session, 1939, ch. 22, p. 195, relating to the Criminal Jurisdiction of the 76th Judicial District Court in Morris County; restoring the Criminal Jurisdiction of the County Court of Morris County; providing that all criminal cases on the docket of the 76th Judicial District Court of Morris County which the 76th Judicial District Court acquired by virtue of the provisions of House Bill 931, Acts of the 46th Legislature; etc.; and declaring an emergency."

H. C. R. No. 32, Granting the B & A Pipe Line Company permission to bring suit against the State of Texas.

S. B. No. 9, A bill to be entitled "An Act amending Section 117 of Chapter 25, Acts of the 39th Legislature, 1925, as amended (codified in Vernon's Texas Civil Statutes as Article 7880-117) by striking the last paragraph therefrom so as to remove the authority of the board of directors of a water control and improvement district to enter into contracts for the construction of works of improvement by private negotiation; leaving the balance of such Section 117 intact; and declaring an emergency."

S. B. No. 77, A bill to be entitled "An Act authorizing an 'eligible' city, as defined herein, to employ the alternate procedure of issuing its negotiable revenue bonds, within the maximum amount prescribed herein, secured by the revenues of its waterworks system or its waterworks and sanitary sewer systems, and to utilize the proceeds of such bonds, in accordance with a contract with a district or authority created under Article XVI, Section 59 of the Constitution to pay the construction cost of a water supply project to be constructed by such district; etc.; and declaring an emergency."

Senate Bill 425 on First Reading

Senator Aikin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent—Excused

Bracewell

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Aikin:

S. B. No. 425, A bill to be entitled "An Act amending Article 4551, Vernon's Texas Civil Statutes, as amended, same being Acts 1919, page 50; Acts 1935, 44th Legislature, Regular Session, Chapter 244, page 606, Section 9, pertaining to per diem for members of the State Board of Dental Examiners; providing for a severance clause; repealing all laws or portions of laws in conflict hereof, and declaring an emergency."

To the Committee on Finance.

Senate Bill 426 on First Reading

Senator Moffett moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Ashley	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lock	

Nays—2

Hardeman	Martin
	Absent
Lane	Weinert
Roberts	

Absent—Excused

Bracewell

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Moffett:

S. B. No. 426, A bill to be entitled "An Act creating a permanent historical committee to be known as the Texas State Historical Survey Committee; providing powers, duties and organization, and term of office of the Texas State Historical Survey Committee; providing that the present members of the Texas State Historical Survey Committee shall continue to serve as members of the committee; providing method of filling vacancies; making other provisions relating to the Texas State Historical Survey Committee; providing a severability clause and declaring an emergency."

To the Committee on State Affairs.

Senate Bill 427 on First Reading

Senator Willis moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bradshaw	Moffett
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Moore	Roberts
-------	---------

Absent—Excused**Bracewell**

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Willis:

S. B. No. 427, A bill to be entitled "An Act making it lawful to take rough fish by spear fishing methods or with bow and arrow in the public fresh waters of the State of Texas; defining rough fish; prohibiting possession of other fish when using such devices; and declaring an emergency."

To the Committee on Game and Fish.

Senate Bill 428 on First Reading

Senator Lane moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent—Excused**Bracewell**

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Lane:

S. B. No. 428, A bill to be entitled "An Act amending Chapter 5, Acts 1919, Thirty-sixth Legislature, Second Called Session, as amended (codified as Article 5395, Vernon's Annotated Civil Statutes, as amended); providing for a clarification of the

State's royalty thereunder in order to promote the development of mines and mining claims on lands in which the State owns the minerals other than oil and gas; providing a severability clause and declaring an emergency."

To the Committee on State Affairs.

Committee Appointed on Senate Concurrent Resolution 9

The President announced the appointment of the following pursuant to the provisions of S. C. R. No. 9 to select the Poet Laureate and Alternate Poet Laureate of the State:

Senators Secrest and Ashley.

Senate Bill 214 with House Amendments

Senator Owen called S. B. No. 214 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Owen moved that the Senate concur in the House amendments.

The motion prevailed.

Record of Vote

Senator Willis asked to be recorded as voting "nay" on the motion to concur.

House Bill 247 on Second Reading

On motion of Senator Ashley and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 247, A bill to be entitled "An Act making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill, or possess any game bird or game animal in Gillespie, Kerr, Mason, Llano, Medina, Sutton, Edwards, Blanco and Crockett Counties at any time; etc., and declaring an emergency."

The bill was read second time.

Senator Ashley offered the following Committee Amendment to the bill:

Amend H. B. No. 247 by striking out the word "Bexar" wherever it appears in the bill.

The Committee Amendment was adopted.

On motion of Senator Ashley and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 247 to third reading.

House Bill 247 on Third Reading

Senator Ashley moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 247 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Roberts

Absent—Excused

Bracewell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the final passage of H. B. No. 247.

Senate Resolution 294

Senator Fuller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. Edgar Brown and Judge Homer Stephenson of Orange, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved that their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Fuller by unanimous consent presented Mr. Brown and Mr. Stephenson to the Members of the Senate.

Senate Resolution 295

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Bobby Evans, Judy Foster, Mary Read, and Carey King, Student Council delegates to State Convention, and their teacher, B. A. Rains, all from Big Spring, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the guests to the Members of the Senate.

House Bill 80 on Second Reading

On motion of Senator Rogers and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 80, A bill to be entitled "An Act to amend the following Sections of the Texas Seed Law, codified as Article 93b of Vernon's Texas Civil Statutes: Section 2, subdivision (e),

defining the term 'hybrid seed corn'; Section 3, subdivision (a) (3) relating to label requirements; Section 3, Subsection (a) by the addition of another subdivision (11) providing for 'net weight' of seed; Section 3, Subdivision (b) relating to the labels for vegetable seeds; Section 7, providing that the tag affixed to each bag, barrel or package of seed shipped will contain a complete analysis printed thereon; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 80 on Third Reading

Senator Rogers moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 80 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Roberts

Absent—Excused

Bracewell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Fuller
Ashley	Gonzalez
Bradshaw	Hardeman
Colson	Hazlewood
Fly	Herring

Hudson	Phillips
Kazen	Ratliff
Krueger	Reagan
Lane	Rogers
Lock	Secrest
Martin	Smith
Moffett	Weinert
Moore	Willis
Owen	Wood
Parkhouse	

Absent

Roberts

Absent—Excused

Bracewell

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 83, A bill to be entitled "An Act further prescribing the qualifications of directors of Bexar Metropolitan Water District by providing that each director shall be a resident qualified elector of Bexar County, Texas, and the owner of taxable property within the area comprising the district, by amending subsection (e) of Section 8 of Chapter 306, page 491, of the Acts of the Forty-ninth Legislature of Texas, Regular Session, enacted in 1945, as amended by House Bill No. 107, being Chapter 66, page 100, of the Acts of the Fifty-third Legislature, Regular Session, enacted in 1953, and declaring an emergency."

S. B. No. 112, A bill to be entitled "An Act amending Section 1 of Article 2.07 of Chapter 491, Acts of the 52nd Legislature R.S. (1951), p. 868; known as the Insurance Code; and declaring an emergency."

S. B. No. 179, A bill to be entitled "An Act creating a more efficient system for maintaining the roads and highways of Victoria County; providing for competitive bids and advertisement on all contracts and purchases of \$2,000.00 or more; providing for competitive bids without advertisement on contracts or purchases less than \$2,000.00 but more than \$1,000.00 however providing for ex-

ceptions to this requirement in certain cases; providing for letting of contracts and making of purchases of \$1,000.00 or less without competitive bids or advertisement; providing for the furnishing of bond by contractor where contract is for construction of public works; providing that this act shall not apply in case of public calamity and certain other exceptions including contracts for personal or professional services or for work done by the County and paid for by the day as such work progresses; providing that this Act shall only apply to funds available to the Commissioners' Court for expenditure for the maintenance of public roads and highways of the County; repealing all laws in conflict; providing a savings clause; and declaring an emergency."

The House refused to concur in Senate amendments to House Bill No. 230 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

S. B. No. 180, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Victoria County by authorizing the county to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; making the Act cumulative; providing for severability; and declaring an emergency."

S. B. No. 182, A bill to be entitled "An Act fixing the terms of office of school trustees of independent school districts having eleven thousand (11,000) or more scholastics according to the last official scholastic census and which are situated in a county having a population of five hundred thousand (500,000) inhabitants or more according to the last preceding Federal census, which districts were heretofore created by having been converted from a common school district into an independent school district under and pursuant to Chapter 5, Acts of the 41st Legislature, Fifth Called Session, as amended by Chapter 311, Acts of the 50th Legislature, Regular Session, and which districts have a board of school trustees consisting of seven (7) trustees, four (4) of whose terms of office will expire or whose predecessors' terms of office did expire on the first Saturday in May, 1957, and

three (3) of whose terms of office will expire on the first Saturday in May, 1958, and as of the effective date of this Act the terms of such trustees are for some period of time other than a period of six (6) years from the date of such trustees' respective elections; providing that in such school districts the trustees thereof shall be voted upon and elected separately for positions on said Board of Trustees; providing methods and the times, depending upon the effective date of this Act, whereby trustees in any such school district shall draw for positions on any such Board of Trustees in any such school district; providing for elections for and the manner and method of electing trustees in any such district, depending upon the effective date of this Act; providing and prescribing the terms of office for the positions on such Board of Trustees, such terms of office being dependent upon the effective date of this Act, such terms of office prescribing primary terms varying from two (2) to six (6) years and providing for all subsequent terms of such trustees to be six-year terms; providing for the filling of vacancies; providing for official ballot for use in such trustee elections and the time within which and the manner in which a person desiring to become a candidate for election shall give notice of his or her candidacy, as the case may be; providing that no candidate shall be eligible to have his or her name placed on the official ballot for more than one position to be filled at any such election; providing that at any such election each voter shall vote for only one candidate for each such position and that the candidate receiving the highest number of votes for each respective position voted upon at any such election shall be entitled to serve as a trustee on said Board holding the position thereon to which he or she, as the case may be, shall have been so elected; providing a savings clause to the effect that if any provision of this Act shall be held invalid, and the other provisions shall not be affected; and declaring an emergency."

S. B. No. 284, A bill to be entitled "An Act amending House Bill No. 172, Acts, 52nd Legislature, 1951 (Art. 326K-14, Vernon's Civil Statutes), so that in the 53rd Judicial District of Texas the maximum salary of assistants, investigators, reporters and secretaries appointed by the District Attorney may be fixed at a sum not ex-

ceeding Seven Thousand Five Hundred (\$7,500.00) Dollars; and containing a severability clause."

S. B. No. 129, A bill to be entitled "An Act amending the Texas Business Corporation Act, Chapter 64, Acts 1955, 54th Legislature; said Act being amended by amending Section A of Article 2.18; amending Article 2.19 by adding thereto two additional sections, Section E and Section F; amending Section A of Article 2.22; amending Section C of Article 2.22; amending Section A of Article 3.02; amending Section A of Article 3.04; amending Section B and Paragraph (2) of Section C of Article 4.07; amending Article 5.09; amending Article 5.10; amending Article 5.11; amending Section B of Article 8.01; amending Section A of Article 8.14; and amending paragraph 13 of Section A of Article 10.01; containing a partial invalidity clause; and declaring an emergency."

(With amendments.)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**Conference Committee
on House Bill 230**

Senator Lane called from the President's table for consideration at this time the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 230 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate:

Senators Lane, Hardeman, Secrest, Herring and Parkhouse.

House Bill 444 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 444, A bill to be entitled "An Act authorizing school districts whose territory, or a part thereof, is situated in counties having a popula-

tion of more than 100,000, according to the then last Federal Census, when authorized by an election held for that purpose, to levy, assess and collect, in addition to annual ad valorem taxes for current maintenance of public free schools, as provided by law, etc., and declaring an emergency."

The bill was read second time.

Senator Reagan offered the following amendment to the bill:

Amend House Bill No. 444 by changing words "Sec. 4" to read "Sec. 5" and by inserting between Sec. 3 and Sec. 5 a new paragraph to read as follows:

"Sec. 4. The provisions of this statute shall not preclude the use of other tax revenues for the same purposes to the extent it is now lawful for such revenues to be so used."

The amendment was adopted.

On motion of Senator Owen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to third reading.

House Bill 444 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 444 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—25

Aikin	Lock
Ashley	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Martin

Absent

Fuller	Roberts
Moore	Wood

Absent—Excused**Bracewell**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Lock
Ashley	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1**Martin****Absent**

Fuller	Roberts
Moore	Wood

Absent—Excused**Bracewell****Reports of Standing Committee**

Senator Fly by unanimous consent submitted the following reports:

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred House Concurrent Resolution No. 55, have had the same under consideration and beg to report back that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred House Concurrent Resolution No. 56, have had the same under consideration and beg to report back that it do pass and be printed.

FLY, Chairman.

Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 133, have had same under consideration and beg to report back with recommendation that the same do not pass, but that the committee substitute do pass and be printed.

FLY, Chairman.

C. S. H. B. No. 133 was read first time.

House Bill 242 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 242, A bill to be entitled "An Act amending Subdivisions 6 and 9, Section 35, Texas Election Code (subdivisions 6 and 9, Article 5.05, Vernon's Election Code), so as to change the time for counting absentee ballots in elections in which paper ballots are used both for absentee voting and for voting at regular polling places; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 242 on Third Reading

Senator Aikin moved that the Constitution Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 242 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Ashley	Moffett
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Fuller
Moore

Roberts

Absent—Excused

Bracewell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Resolution 296

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Bryan Bradbury, Mrs. Jack Sparks, Mrs. James Conlan, Mrs. James Herb, Mrs. Roy Brandenberger, and Mrs. Frank Bridwell; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the guests to the Members of the Senate.

Committee Substitute
House Bill 133 Ordered Not Printed

On motion of Senator Fly and by unanimous consent C. S. H. B. No. 133 was ordered not printed.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 28, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 534, A bill to be entitled "An Act establishing a juvenile board in Midland County; prescribing the membership and powers of the board and providing for compensation of its members; authorizing the board to

appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his compensation; etc.; and declaring an emergency."

H. B. No. 538, A bill to be entitled "An Act to make it unlawful to use or employ doors or boards to spread or open a shrimp trawl in the inland salt waters of Nueces County during the closed season of a greater size and dimension than twenty-four (24) by thirty-six (36) inches, or a total of Eight Hundred and sixty-four (864) square inches, providing a penalty and declaring an emergency."

H. B. No. 548, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Dallas County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring right of way for designated state highways or federal highways when the acquisition of such right of way is approved by the State Highway Commission, and payment of expenses in connection with such acquisition; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 588, A bill to be entitled "An Act amending Chapter 451, Acts of the 54th Legislature (Article 118c-3, Vernon's Texas Civil Statutes) relating to inspection and classification of sweet potatoes, so as to make inspection and classification discretionary with the seller."

H. B. No. 595, A bill to be entitled "An Act providing that it shall be unlawful to kill mink in Hunt County, Texas, for a period of two (2) years from and after the passage of this Act; repealing all laws in conflict; providing a penalty; and declaring an emergency."

H. B. No. 603, A bill to be entitled "An Act to permit members of the Legislature and nominees for the office of State Senator or State Representative to attend certain political conventions as nonparticipating observers."

H. B. No. 607, A bill to be entitled "An Act to authorize and require the appointment of official shorthand reporters in each District Court and each County Court at Law heretofore and hereafter created in counties having a population of six hundred and thirteen thousand or more, according to the last preceding Federal census; fixing maximum and minimum salaries to be paid, in addition to compensation for transcripts, statement of fact and other fees, providing the time, method and manner of payment; and declaring an emergency."

H. B. No. 650, A bill to be entitled "An Act authorizing the Commissioners' Court of Ector County to pay the District Judge of the 70th Judicial District compensation in addition to the compensation paid by the State; making other provisions relating thereto; providing a severability clause and declaring an emergency."

H. B. No. 853, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Ector County by authorizing the County to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; containing a severability clause; and declaring an emergency."

H. B. No. 857, A bill to be entitled "An Act authorizing Webb County to supplement the salary of the District Attorney of the 49th Judicial District for additional services performed in Webb County, authorizing the appointment of an Assistant District Attorney, Special Investigators for the District Attorney, and a Stenographer-Secretary for the District Attorney of the 49th Judicial District to act in Webb County; fixing the salary of said Assistant District Attorney, Special Investigators, and Stenographer-Secretary to be paid by Webb County; repealing Chapter 253, Acts of the 52nd Legislature, and all other laws in conflict herewith; and declaring an emergency."

H. B. No. 76, A bill to be entitled "An Act amending Section 104 of Acts 1947, 50th Legislature, p. 967, ch. 421, as amended, by adding thereto a new subsection (d) directing the State Highway Commission to

erect signs on state highways to acquaint motorists with the provisions of this section, which relates to the overtaking and passing of school buses; and declaring an emergency."

H. B. No. 192, A bill to be entitled "An Act amending Section 1c of Article 9521-11, Penal Code of Texas, the same being House Bill 820, Acts of the 47th Legislature, 1941, Chapter 322, page 525, as amended by House Bill 380, Acts of the 50th Legislature, 1947, Chapter 87, page 149, as amended by House Bill 318, Acts of the 51st Legislature, 1949, Chapter 160, page 330, so as to permit the use of shrimp trawls in certain waters in Jackson County when used for the purpose of taking shrimp for bait, providing a repealing clause, providing a severability clause, and declaring an emergency."

H. B. No. 216, A bill to be entitled "An Act to authorize and provide for professional unit allocations for Foundations School Program Act and Fund purposes, determinable on a sparse area formula approved by the State Board of Education applicable to any school district containing one hundred (100) square miles or more and having fewer than one (1) pupil per square miles and which operates and maintains a four-year accredited high school; requiring certain considerations by the State Commissioner of Education; providing the beginning effective date of this Act; and declaring an emergency."

H. B. No. 218, A bill to be entitled "An Act relating to the hunting of raccoon in Falls County and the hunting of fox and raccoon in Limestone County; prohibiting the use of devices or instruments to call or attract animals; providing a penalty for violation; and declaring an emergency."

H. B. No. 254, A bill to be entitled "An Act amending Section 3, Senate Bill 310, Acts 1945, 49th Legislature, Regular Session, Page 130, Chapter 90, as amended by House Bill 696, Acts 1955, 54th Legislature, Regular Session, Page 606, Chapter 211, to permit the making of routine purchases and contracts not to exceed One Thousand Dollars (\$1,000.00) without the taking of formal bids; to provide for the attachment of either a certified or cashier's check in the amount of five percent (5%) of the

amount of the bid, or a bidder's bond with a responsible surety in a like amount, conditioned that the successful bidder will enter into a contract and give bond as required by the specifications; providing for advertisement for bids; providing this Act be cumulative of all other applicable laws not in conflict with the provisions hereof; and declaring an emergency."

H. B. No. 260, A bill to be entitled "An Act to amend 'an act providing for the annexation of common and/or independent school districts to certain Junior College districts for Junior College purposes only; providing for the creation of boards of trustees for such districts and annexed common and independent school districts, and determining the manner or representation on said board from the several common or independent school districts, the territory of which has been or may be annexed to such Junior College Districts for Junior College purposes only; providing the mode, manner and time of electing members of said boards for their terms of office, and enacting other provisions relating to the subject matter; repealing laws in conflict therewith to the extent of such conflict; preserving to such Junior College Districts the powers and privileges of Junior College Districts generally; providing a saving clause; and declaring an emergency" passed by the 51st Legislature of the State of Texas at its regular session as chapter 114 of the Acts of the 51st Legislature of the State of Texas, so as to add thereto Section 2a, providing for a change in the formula for determining and adding members of the board of trustees after the total membership under Section 2 thereof reaches ten (10) in number, and declaring an emergency."

H. B. No. 280, A bill to be entitled "An Act amending Sections 2 and 3 of House Bill 853, Acts 1949, 51st Legislature, Regular Session, Page 507, Chapter 280 as amended by House Bill 332, Acts 1953, 53rd Legislature, Regular Session, Page 107, Chapter 73, to provide for a Promotion and Development Fund of not more than five percent (5%) of the gross income from operations in each calendar year for Navigation Districts having within its limits a city with a population in excess of 300,000 according to the last preceding Fed-

eral census; providing this Act be cumulative of all other laws not in conflict herewith; and declaring an emergency."

H. B. No. 284, A bill to be entitled "An Act amending Chapter 282, Acts of the 51st Legislature of Texas, Regular Session, 1949, as amended, so as to increase the amount of tax that may be levied and collected in Trinity Bay Conservation District for the purpose of paying the costs of operating said District and maintaining its properties; and declaring an emergency."

H. B. No. 296, A bill to be entitled "An Act validating, ratifying and confirming interest bearing time warrants authorized by cities of this State since the enactment of Chapter 362 by the 54th Legislature of Texas, Regular Session, 1955; and all proceedings of the governing body relating thereto; validating refunding bonds issued for the purpose of refunding time warrants issued by such cities; providing that this act shall not apply to any such time warrants or any refunding bonds issued to refund time warrants the validity of which is involved in litigation at the time this act becomes effective; and declaring an emergency."

H. B. No. 312, A bill to be entitled "An Act fixing the salary of the District Judge of the 75th Judicial District of Texas; authorizing the Commissioners Court of the Counties comprising the 75th Judicial District of Texas to supplement the salary of the District Judge and providing the method of supplementation; and declaring an emergency."

H. B. No. 325, A bill to be entitled "An Act amending Chapter 181, Acts of 1935, 44th Legislature, as amended by Chapter 373, Acts of 1937, etc., and declaring an emergency."

H. B. No. 342, A bill to be entitled "An Act amending Article 6954 of the Revised Civil Statutes of Texas, 1925, so as to make its provisions applicable to McMullen County and declaring an emergency."

H. B. No. 368, A bill to be entitled "An Act fixing the deadline for filing applications of candidates in elections for the office of county school trustee or trustee of any school district; fixing the time for printing of

the ballots in such elections; making provisions relative to absentee voting in such elections; amending Article 2746a, Revised Civil Statutes of Texas, 1925, as amended; repealing conflicting laws; and declaring an emergency."

H. B. No. 371, A bill to be entitled "An Act creating the State Tax Study Commission; providing for the appointment of the members of said Commission; authorizing the making of a comprehensive tax study by the State Tax Study Commission; providing authority to request aid and service in making a tax study; providing for certain reports; and declaring an emergency."

H. B. No. 381, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to sell certain land located in Wichita County, Texas, being a part of the property of the Wichita Falls State Hospital; prescribing the procedures, terms and conditions of sale; limiting the times within sales may be made; and declaring an emergency."

H. B. No. 397, A bill to be entitled "An Act providing for additional compensation for the County Judge of Bexar County, Texas, for services rendered by him as a member of the Bexar County Juvenile Board; specifying the fund out of which such additional compensation shall be payable; providing that such additional compensation shall be in addition to all other salary or compensation now paid to said County Judge; providing that this Act shall be cumulative of all existing general laws of the State; and providing for the repeal of H. B. No. 377 of the Acts of the Regular Session, 54th Legislature, 1955; providing for a severance clause, and declaring an emergency."

H. B. No. 416, A bill to be entitled "An Act amending Section 1, Chapter 184, Acts of the Forty-fourth Legislature, Regular Session, 1935, as amended (codified in Vernon's as Section 1 of Article 5890b, Vernon's Civil Statutes) providing for the creation of the Texas National Guard Armory Board so as to change the membership of the Board; providing present members of the Board shall continue to serve as ex-officio members for the remainder of their term of office; prescribing certain powers

and duties of the members of the Board; providing a severability clause and declaring an emergency."

H. B. No. 419, A bill to be entitled "An Act repealing Article 252 and Articles 262 through 269 of the Penal Code of Texas, 1925, relating to election campaign expenditures and statements; and declaring an emergency."

H. B. No. 427, A bill to be entitled "An Act authorizing and directing the Game and Fish Commission to publish information; authorizing sale of publications at not to exceed cost; providing for the disposition of funds; providing for the collection, deposit, and use of moneys collected; providing for authority to sell subscriptions to monthly publications; providing for compensation for persons collecting and remitting funds referred to in this Act; requiring procedure for making remittances; providing the form therefor, and declaring an emergency."

H. B. No. 474, A bill to be entitled "An Act providing an open season for hunting, taking, and killing quail in Hunt County, Texas; fixing the days on which such hunting is permitted; fixing the limit on the number of quail killed or that any person may have in possession at any time; making said Act applicable to all varieties of quail; fixing a penalty; repealing all laws in conflict with this Act; and declaring an emergency."

H. B. No. 495, A bill to be entitled "An Act amending Section 1 of Chapter 283, Acts of the 44th Legislature, Regular Session, 1953 (Article 279a of Vernon's Texas Civil Statutes) to include the Veterans Administration and the Administrator of Veterans Affairs in the Exemption from security and bond requirements in actions brought in the courts of this State; repealing conflicting laws; and declaring an emergency."

The House has appointed the following Conference Committee on H. B. No. 230: Messrs. Cowen, Shannon of Tarrant, McGregor of McLennan, Blaine and Ramsey.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 86. House Conference Committee: Myatt, White, Mullen, Bishop and Kelly.

The House has concurred in Senate amendments to House Bill No. 143 by vote of 125 Ayes, 1 Noes and 4 present not voting.

The House refused to concur in Senate amendments to House Bill No. 134 and has requested the appointment of a Conference Committee to consider the differences between the two Houses,

The House refused to concur in Senate amendments to House Bill No. 151 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Special Notice

Senator Willis gave notice that he would on Monday, April 1, 1957, move to suspend rules to take up for consideration S. B. No. 50.

Adjournment

On motion of Senator Hardeman the Senate at 11:30 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, April 1, 1957.

Record of Vote

Senator Phillips asked to be recorded as voting "Nay" on the motion to adjourn.

FORTY-SIXTH DAY

(Monday, April 1, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bradshaw	Martin
Colson	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Secrest

Smith	Willis
Weinert	Wood

Absent—Excused

Bracewell

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 28, 1957, was approved.

Leave of Absence

Senator Bracewell was granted leave of absence for today on account of important business on motion of Senator Phillips.

Senate Resolution 297

Senator Owen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Miss Sally Hudson, Billy Hudson, Miss McFadden and Mrs. Robertson; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate, and the privileges of the floor.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented the guests including Sally and Billy Hudson, the children of Senator Hudson, to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 1, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has appointed the following Conference Committee on H. B. No. 134: Hale, Burkett, Patterson, Foreman, and Hughes of Dallas.

The House has appointed the fol-